



Lessard-Sams Outdoor Heritage Council

Accelerating Habitat Conservation in Southwest Minnesota - Phase 2
Laws of Minnesota 2023 Accomplishment Plan

General Information

Date: 11/14/2023

Project Title: Accelerating Habitat Conservation in Southwest Minnesota - Phase 2

Funds Recommended: \$3,071,000

Legislative Citation: ML 2023, Ch. 40, Art. 1, Sec. 2, subd. 5(c)

Appropriation Language: \$3,071,000 the first year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements and to restore and enhance high-quality wildlife habitat in southwest Minnesota. Of this amount, up to \$168,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed conservation easement acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

Manager Information

Manager's Name: Wayne Ostlie

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Location Information

County Location(s): Nobles, Chippewa, Pipestone, Cottonwood, Yellow Medicine, Lyon, Lac qui Parle, Jackson, Martin and Watonwan.

Eco regions in which work will take place:

- Prairie

Activity types:

- Protect in Easement
- Restore
- Enhance

Priority resources addressed by activity:

- Wetlands
- Prairie
- Habitat
- Forest

Narrative

Abstract

The Minnesota Land Trust proposes to permanently protect 506 acres of high quality habitat in southwest Minnesota by securing conservation easements within scientifically prioritized habitat complexes by filling key unmet gaps in the available land protection toolbox. Working with willing landowners the Land Trust will use its innovative bid model to maximize conservation benefit and financial leverage in project selection. The Land Trust in cooperation with the US Fish and Wildlife Service will restore/enhance 200 acres of wetlands and associated prairies to benefit SGCN and waterfowl populations.

Design and Scope of Work

The plight of prairies and wetlands in southwest Minnesota is well-documented; less than 2% of native prairie remains and 90% of wetlands have been lost. Habitat loss and degradation threaten wildlife populations and contribute to the decline of the 116 SGCN that utilize the wetlands, streams and prairies across the region.

Since the inception of Minnesota's Prairie Plan in 2010, targeted land protection and restoration action by a large number of conservation organizations and agencies has resulted in significant conservation gains across southwest Minnesota. In 2020, nearly a decade into its implementation, the Land Trust engaged a broad cross-section of these organizations to identify what challenges remain to realizing that Plan. Through this conversation, several significant challenges were identified: 1) land protection tools currently available are not sufficiently broad to address the full spectrum of need; high priority easement projects don't always align with conservation easement programs currently available; 2) R/E funding availability is a limiting factor to some key partners, and 3) high priority areas for conservation (identified in Minnesota's Wildlife Action Network) do not always align with the Prairie Plan and are not being addressed. Our program aims to address these gaps in the Southwest Minnesota conservation framework by marrying the Land Trust's unique set of tools and expertise with funding through the Outdoor Heritage Fund.

In Phase 1 of this Program, the Land Trust has committed all of its easement acquisition funding to current projects; ten additional projects are in the initial stages of development and await Phase 2 funding. The Program also has 126 acres of restoration/enhancement work complete or underway.

Phase 2 will continue these accomplishments. Working with willing landowners, the Land Trust will protect 506 acres of priority wetland, prairie and associated upland habitat through conservation easements. The Land Trust's easement program has greater flexibility than others currently available in Southwest Minnesota through USFWS, MN DNR and BWSR, and can be tailored to address key conservation opportunities that otherwise would be left on the table. Land protection actions through this proposal will focus on: 1) priority areas within the Prairie Plan left orphaned by current conservation easement programs, and 2) conservation priorities identified in the WAN that

are not encompassed by the Prairie Plan. The Land Trust will employ its criteria-based ranking system and market-based approach to the acquisition of conservation easements. This strategic approach targets projects that help fill gaps in existing public ownership, are of the highest ecological value, and provide the greatest leverage to the State's funding investment. The Land Trust will seek donated easements whenever possible but also may fully purchase easements that help complete key complexes as necessary.

Restoration and enhancement activities will target priority protected lands. The Land Trust in cooperation with USFWS will restore and enhance 200 acres of important wetland, riparian and prairie habitat on permanently protected USFWS easement and Waterfowl Production Area lands.

How does the plan address habitats that have significant value for wildlife species of greatest conservation need, and/or threatened or endangered species, and list targeted species?

This program addresses LSOHC priorities by protecting shallow lakes, wetland/grassland complexes, and shoreland that provide critical habitat for Minnesota's wildlife, especially its migratory waterfowl and associated species. Minnesota's wetlands are essential to our wildlife health and diversity. This project directly benefits SGCN and other important game and non-game wildlife species by minimizing the potential threats to their habitat caused by detrimental agricultural practices, residential or commercial development or imprudent land management. The wetland habitat complexes that will be targeted through the ranking system will include a mosaic of wetlands, grasslands and woodlands. Priority projects will include high or outstanding habitat as identified in Minnesota Biological Survey data. Projects will also be located near other protected lands to help build larger habitat complexes comprised of both public and private lands. The vast majority of this landscape is in private ownership. For that reason, working with private owners on land protection strategies is key to successful conservation in this region. Finally, we will work closely with partners in the region to identify those habitat complexes where private land protection can make a significant contribution to existing conservation investments.

Describe how the plan uses science-based targeting that leverages or expands corridors and complexes, reduces fragmentation or protects areas identified in the MN County Biological Survey:

This program is focused on procuring conservation easements and restoring prairie and wetland habitats on easement and fee protected lands within priority complexes of wetlands and associated upland habitats, as guided by the State Wildlife Action Plan, Duck Plan and Prairie Plan. Specific parcels available for easement acquisition are evaluated relative to each other to identify priorities among the pool of applicants. This relative ranking is based on three primary ecological factors [1) amount of habitat on the parcel (size) and abundance of SGCN; 2) the quality or condition of habitat; and 3) the parcel's context relative to other natural habitats and protected areas] in addition to cost. The program serves to build upon past conservation investments in the program area, expand the footprint of existing protected areas (WMAs, WPAs, etc.), facilitate the protection of habitat corridors and reduce the potential for fragmentation of existing habitats. In addition, the USFWS (a cooperator in this program) will receive OHF funding through MLT to further reduce effects of fragmentation through restoration of prairie, wetlands and other habitats. Minnesota Biological Survey data is a cornerstone to our assessment of potential conservation easement acquisitions. We also conduct field visits to further identify and assess condition of habitats prior to easement acquisition because many private lands were not formally assessed through MBS.

Which two sections of the Minnesota Statewide Conservation and Preservation Plan are most applicable to this project?

- H1 Protect priority land habitats
- H5 Restore land, wetlands and wetland-associated watersheds

Which two other plans are addressed in this program?

- Minnesota Prairie Conservation Plan
- Minnesota's Wildlife Action Plan 2015-2025

Which LSOHC section priorities are addressed in this program?

Prairie

- Protect, enhance, or restore existing wetland/upland complexes, or convert agricultural lands to new wetland/upland habitat complexes

Outcomes

Programs in prairie region:

- Protected, restored, and enhanced habitat for migratory and unique Minnesota species ~ *This program will permanently protect 506 acres of wetland and upland habitat complexes and restore/enhance 200 acres of wetlands and prairies in the prairie region. Measure: Acres protected; acres restored; acres enhanced.*

Does this program include leveraged funding?

Yes

Explain the leverage:

Through its market-based RFP process, the Land Trust expects private landowners to donate at least \$200,000 in easement value toward the program, which is shown as leverage.

Per MS 97A.056, Subd. 24, Please explain whether the request is supplanting or is a substitution for any previous funding that was not from a legacy fund and was used for the same purpose.

Funding procured by MLT from the Outdoor Heritage Fund through this proposal will not supplant or substitute any previous funding from a non-Legacy fund used for the same purpose.

How will you sustain and/or maintain this work after the Outdoor Heritage Funds are expended?

Land protected through conservation easements will be sustained through state-of-the-art standards and practices for conservation easement stewardship. The Minnesota Land Trust is a nationally-accredited land trust with a very successful stewardship program that includes annual property monitoring, effective records management, addressing inquiries and interpretations, tracking changes in ownership, investigating potential violations and defending the easement in cases of a true violation. Funding for these easement stewardship activities is included in the project budget.

In addition, MLT will assist landowners in the development of comprehensive habitat management plans to help ensure that the land will be managed for its wildlife and water quality benefits. MLT (as easement holder) and USFWS (as easement holder and fee owner of respective properties) will work with landowners in an ongoing basis to provide habitat restoration plans, resources and technical expertise to undertake restoration, enhancement and ongoing management of these properties.

Actions to Maintain Project Outcomes

Year	Source of Funds	Step 1	Step 2	Step 3
Every 4-6 years	USFWS	Prescribed fire, tree removal, Invasive species control	-	-
2024 and in perpetuity	MLT Long -Term Stewardship and Enforcement Fund	Annual monitoring of easements in perpetuity	Enforcement as necessary	-

Provide an assessment of how your program celebrates cultural diversity or reaches diverse communities in Minnesota, including reaching low- and moderate-income households:

One of the Minnesota Land Trust’s core public values is a commitment to diversity, equity, and inclusion. We have been engaged in a multi-year-long process to assess how the conservation community—and the Minnesota Land Trust in particular—can better address these issues. To date, we have demonstrated this commitment when possible given the funding parameters and our unique role in working with private landowners, including numerous projects to protect the camps and nature centers that serve a diversity of Minnesota youth and a longterm partnership with the Fond du Lac Band of Lake Superior Chippewa on wild rice restoration.

Going forward, we intend to build on this engagement by using diversity, equity, and inclusion as a lens in project, partner, and contractor selection. In each of our program areas, we intend to listen and seek out potential, authentic partnerships that can advance our goals of conserving the best of Minnesota’s remaining habitats and, at the same time, being a more inclusive organization.

One related program we just recently launched is the “Ambassador Lands Program” which connects willing conservation landowners to diverse community groups that desire access to private land for a variety of programming purposes, such as youth mentor hunts, cultural or ceremonial use, conservation employment training, nature-based education, and much more. This would add greatly to the more universal public benefits of conserved lands such as wildlife habitat, clean water, and climate mitigation. Finally, we welcome more conversations with the LSOHC and conservation community about how these values can be better manifest in all our shared work going forward.

Activity Details

Requirements

If funded, this program will meet all applicable criteria set forth in MS 97A.056?

Yes

Is the land you plan to acquire (easement) free of any other permanent protection?

Yes

Who will manage the easement?

Minnesota Land Trust will manage the easements acquired through this grant.

Who will be the easement holder?

Minnesota Land Trust will be the holder of all easements acquired through this grant.

What is the anticipated number of easements (range is fine) you plan to accomplish with this appropriation?

We expect to close between 3 and 7 easements through this appropriation.

Will restoration and enhancement work follow best management practices including MS 84.973 Pollinator Habitat Program?

Yes

Is the restoration and enhancement activity on permanently protected land per 97A.056, Subd 13(f), tribal lands, and/or public waters per MS 103G.005, Subd. 15 or on lands to be acquired in this program?

Yes

Where does the activity take place?

- WPA
- Refuge Lands
- Permanently Protected Conservation Easements

Land Use

Will there be planting of any crop on OHF land purchased or restored in this program?

Yes

Explain what will be planted:

The purpose of the Minnesota Land Trust's conservation easements is to protect and restore/enhance existing high quality natural habitat and to preserve opportunities for future restoration. We restrict agricultural lands and use on the properties. In cases where there are agricultural lands associated with the larger property, we will either exclude the agricultural area from the conservation easement, or in some limited cases, we may target agricultural lands for restoration purposes.

Will the eased land be open for public use?

No

Are there currently trails or roads on any of the proposed acquisitions?

Yes

Describe the types of trails or roads and the allowable uses:

Most conservation easements are established on private lands, many of which have driveways, field roads and trails located on them. Often, the conservation easement permits the continued usage of established trails and roads so long as their use does not significantly impact the conservation values of the property. Creation of new roads/trails or expansion of existing ones is typically not allowed.

Will the trails or roads remain and uses continue to be allowed after OHF acquisition?

Yes

How will maintenance and monitoring be accomplished?

Existing trails and roads are identified in the project baseline report and will be monitored annually as part of the Land Trust's stewardship and enforcement protocols. Maintenance of permitted roads/trails in accordance with the terms of the easement will be the responsibility of the landowner.

Will new trails or roads be developed or improved as a result of the OHF acquisition?

No

Will the acquired parcels be restored or enhanced within this appropriation?

No

The Land Trust will assess the R/E needs of each parcel protected through this appropriation. Should R/E needs exist, funding for those projects will be built into a forthcoming proposal.

Will the land that you acquire (fee or easement) be restored or enhanced within this program's funding and availability?

No

Explain how, when, and source of the R/E work:

The Land Trust will assess the R/E needs of each parcel protected through this appropriation. Should R/E needs exist, funding for those projects will be built into a forthcoming proposal.

Timeline

Activity Name	Estimated Completion Date
Restoration and enhancement projects completed	June 30, 2027
Conservation easements closed or options secured	June 30, 2027

Date of Final Report Submission: 11/01/2027

Availability of Appropriation: Subd. 7. Availability of Appropriation

(a) Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Money appropriated to acquire land in fee may be used to restore, enhance, and provide for public use of the land acquired with the appropriation. Public-use facilities must have a minimal impact on habitat in acquired lands.

(b) Money appropriated in this section is available as follows:

- (1) money appropriated for acquiring real property is available until June 30, 2027;
- (2) money appropriated for restoring and enhancing land acquired with an appropriation in this act is available for four years after the acquisition date with a maximum end date of June 30, 2031;
- (3) money appropriated for restoring or enhancing other land is available until June 30, 2028;
- (4) notwithstanding clauses (1) to (3), money appropriated for a project that receives at least 15 percent of its funding from federal funds is available until a date sufficient to match the availability of federal funding to a maximum of six years if the federal funding was confirmed and included in the original approved draft accomplishment plan; and
- (5) money appropriated for other projects is available until the end of the fiscal year in which it is appropriated.

Budget

Budget reallocations up to 10% do not require an amendment to the Accomplishment Plan.

Totals

Item	Funding Request	Leverage	Leverage Source	Total
Personnel	\$225,000	-	-	\$225,000
Contracts	\$95,000	-	-	\$95,000
Fee Acquisition w/ PILT	-	-	-	-
Fee Acquisition w/o PILT	-	-	-	-
Easement Acquisition	\$2,386,000	\$200,000	Landowners	\$2,586,000
Easement Stewardship	\$168,000	-	-	\$168,000
Travel	\$21,000	-	-	\$21,000
Professional Services	\$110,000	-	-	\$110,000
Direct Support Services	\$62,000	-	-	\$62,000
DNR Land Acquisition Costs	-	-	-	-
Capital Equipment	-	-	-	-
Other Equipment/Tools	\$3,000	-	-	\$3,000
Supplies/Materials	\$1,000	-	-	\$1,000
DNR IDP	-	-	-	-
Grand Total	\$3,071,000	\$200,000	-	\$3,271,000

Personnel

Position	Annual FTE	Years Working	Funding Request	Leverage	Leverage Source	Total
MLT Protection Staff	0.4	4.0	\$175,000	-	-	\$175,000
MLT Restoration Staff	0.12	4.0	\$50,000	-	-	\$50,000

Amount of Request: \$3,071,000

Amount of Leverage: \$200,000

Leverage as a percent of the Request: 6.51%

DSS + Personnel: \$287,000

As a % of the total request: 9.35%

Easement Stewardship: \$168,000

As a % of the Easement Acquisition: 7.04%

How will this program accommodate the reduced appropriation recommendation from the original proposed requested amount?

R/E was maintained at 100% of request.

Remaining funds were allocated to Protect in Easement. Protection outputs were reduced to 42% of request (506 acres). Personnel/DSS were reduced to 58%; other budget lines include easement stewardship (70% of request), professional services (58%) and contracts (62%).

Describe and explain leverage source and confirmation of funds:

The Land Trust encourages landowners to fully or partially donate the value of conservation easements to the program. The \$200,000 leverage amount is a conservative estimate of value we expect to see donated by landowners.

Personnel**Has funding for these positions been requested in the past?**

Yes

Please explain the overlap of past and future staffing and position levels previously received and how that is coordinated over multiple years?

FTEs listed in the proposal are a coarse estimate of the personnel time required to deliver the grant outputs included in this proposal. An array of staff may work on projects to complete legal review, subcontracts, negotiating with landowners, drafting conservation easements, completing baseline reports and managing the grant. MLT's basis for billing is the individual protection project we work on, ensuring allocation to the appropriate grant award. And by using a timesheet-based approach we use only those personnel funds actually expended to achieve the goals of the grant.

Contracts**What is included in the contracts line?**

Restoration and enhancement accounts for \$33,000 of the contract line amount. Additional funds in the contract line are for the writing of habitat management plans via qualified vendors, and engaging respective County Soil and Water Conservation Districts for landowner outreach purposes to facilitate communication of the protection program.

Easement Stewardship**What is the number of easements anticipated, cost per easement for stewardship, and explain how that amount is calculated?**

The Land Trust expects to close 10 conservation easements through this proposal. The average cost per easement to fund the Minnesota Land Trust's perpetual monitoring and enforcement obligations is \$24,000. This figure is derived from MLT's detailed stewardship funding "cost analysis" which is consistent with Land Trust Accreditation standards. MLT shares periodic updates to this cost analysis with LSOHC staff.

Travel**Does the amount in the travel line include equipment/vehicle rental?**

Yes

Explain the amount in the travel line outside of traditional travel costs of mileage, food, and lodging

Land Trust staff regularly rent vehicles for grant-related purposes, which is a significant cost savings over use of personal vehicles.

I understand and agree that lodging, meals, and mileage must comply with the current MMB Commissioner Plan:

Yes

Direct Support Services

How did you determine which portions of the Direct Support Services of your shared support services is direct to this program?

In a process that was approved by the DNR on March 17, 2017, Minnesota Land Trust determined our direct support services rate to include all of the allowable direct and necessary expenditures that are not captured in other line items in the budget, which is similar to the Land Trust's proposed federal indirect rate. We will apply this DNR-approved rate only to personnel expenses to determine the total amount of direct support services.

Other Equipment/Tools

Give examples of the types of Equipment and Tools that will be purchased?

GPS units, field safety gear, etc.

Federal Funds

Do you anticipate federal funds as a match for this program?

No

Output Tables**Acres by Resource Type (Table 1)**

Type	Wetland	Prairie	Forest	Habitat	Total Acres
Restore	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-
Protect in Easement	-	-	-	506	506
Enhance	-	-	200	-	200
Total	-	-	200	506	706

Total Requested Funding by Resource Type (Table 2)

Type	Wetland	Prairie	Forest	Habitat	Total Funding
Restore	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-
Protect in Easement	-	-	-	\$2,966,000	\$2,966,000
Enhance	-	-	\$105,000	-	\$105,000
Total	-	-	\$105,000	\$2,966,000	\$3,071,000

Acres within each Ecological Section (Table 3)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Acres
Restore	-	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-
Protect in Easement	-	-	-	506	-	506
Enhance	-	-	-	200	-	200
Total	-	-	-	706	-	706

Total Requested Funding within each Ecological Section (Table 4)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest	Total Funding
Restore	-	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-	-	-
Protect in Easement	-	-	-	\$2,966,000	-	\$2,966,000
Enhance	-	-	-	\$105,000	-	\$105,000
Total	-	-	-	\$3,071,000	-	\$3,071,000

Average Cost per Acre by Resource Type (Table 5)

Type	Wetland	Prairie	Forest	Habitat
Restore	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-
Protect in Fee w/o State PILT Liability	-	-	-	-
Protect in Easement	-	-	-	\$5,861
Enhance	-	-	-	\$525

Average Cost per Acre by Ecological Section (Table 6)

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	N. Forest
Restore	-	-	-	-	-
Protect in Fee with State PILT Liability	-	-	-	-	-

Protect in Fee w/o State PILT Liability	-	-	-	-	-
Protect in Easement	-	-	-	\$5,861	-
Enhance	-	-	-	\$525	-

Target Lake/Stream/River Feet or Miles

Parcels

For restoration and enhancement programs ONLY: Managers may add, delete, and substitute projects on this parcel list based upon need, readiness, cost, opportunity, and/or urgency so long as the substitute parcel/project forwards the constitutional objectives of this program in the Project Scope table of this accomplishment plan. The final accomplishment plan report will include the final parcel list.

Parcel Information

Sign-up Criteria?

No

Explain the process used to identify, prioritize, and select the parcels on your list:

The Land Trust uses a competitive, market-based approach through an RFP process to identify interested landowners and prioritize parcels for conservation easement acquisition. All proposals submitted by landowners are evaluated and ranked relative to their ecological significance based on three primary factors: 1) size of habitat on the parcel; 2) condition of habitat on the parcel; and 3) the context (both in terms of amount/quality of remaining habitat and protected areas) within which the parcel lies. We also ask the landowner to consider contributing all or a portion of fair market value to enable our funds to make a larger conservation impact (see attached sign-up criteria). We contract with local SWCD offices to provide outreach services as a way to connect effectively with local landowners.

Restoration and enhancement work will take place on private lands over which MLT and USFWS have secured permanent conservation easements to protect wetlands and associated upland habitat. The projects included in the parcel list were identified as priorities for restoration/enhancement by USFWS staff in their Windom Wetland Management District office.

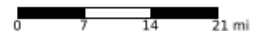
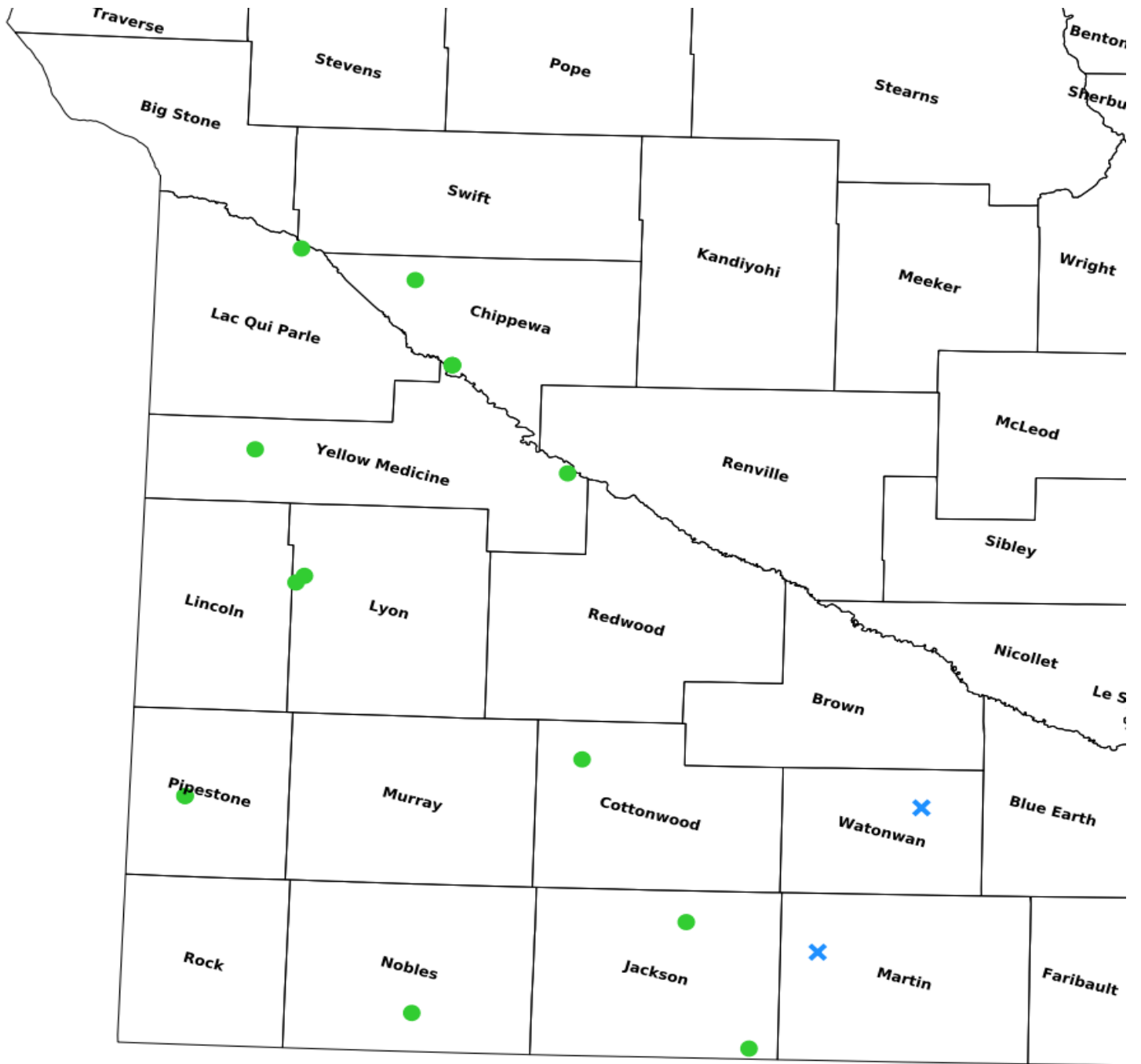
Restore / Enhance Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
Martin 11G	Martin	10333214	52	\$18,000	Yes
Watonwan 12G	Watonwan	10731235	148	\$15,000	Yes

Easement Parcels

Name	County	TRDS	Acres	Est Cost	Existing Protection
Chippewa River 1	Chippewa	11941221	46	\$140,000	No
Carlton Wetlands 1	Chippewa	11740220	52	\$78,000	No
Carlton Lake 1	Chippewa	11740220	8	\$10,000	No
Carlton Lake 2	Chippewa	11740220	160	\$320,000	No
Dutch Charley Creek 1	Cottonwood	10838236	150	\$600,000	No
Des Moines River 2	Jackson	10435230	120	\$324,000	-
Des Moines River 1	Jackson	10134228	180	\$810,000	No
Marsh Lake 1	Lac qui Parle	12043231	54	\$85,000	-
Yellow Medicine River 2	Lyon	11243231	68	\$200,000	-
Yellow Medicine River 1	Lyon	11243229	110	\$300,000	-
Little Rock River 2	Nobles	10141203	89	\$235,000	No
Pipestone Meanders 2	Pipestone	10646201	27	\$165,000	No
Pipestone Meanders 1	Pipestone	10646201	23	\$50,000	No
Lac qui Parle River 1	Yellow Medicine	11544229	55	\$148,500	-
Wood Lake Creek 1	Yellow Medicine	11438203	160	\$432,000	-

Parcel Map



- Protect in Easement
- ▲ Protect in Fee with PILT
- Protect in Fee W/O PILT
- ★ Restore
- ✕ Enhance
- ⊕ Other